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Convention on the Rights of the Child

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Committee on the Rights of the Child
Seventy-ninth session
17 September–5 October 2018
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the combined fifth and sixth periodic reports of El Salvador

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible by 15 June 2018. The Committee may take up all aspects of children's rights set out in the Convention and the Optional Protocols thereto during the dialogue with the State party.

Part I

1. Please provide the Committee with information on how the National Council for Children and Adolescents and the Salvadoran Institute for Comprehensive Child and Adolescent Development coordinate with each other on their work on matters related to children. Please also indicate how the central Government and the local committees on the rights of children and adolescents, local child and adolescent protection boards and local support centres for children, adolescents and families coordinate their work in this regard.

2. With regard to the allocation of resources, please indicate the steps that have been taken to bring the rights of the child into focus using a tracking system that covers all expenditures related to children and adolescents. Please also indicate what steps have been taken to protect budget allocations for children's affairs, set aside separate budget lines with a view to reducing inequality, ensure that the authorities are held to account and prevent corruption.

3. Please indicate how the Child and Adolescent Information System facilitates the collection and comprehensive analysis of information relating to the rights of children and adolescents. Please also indicate how the various information systems enable the processing, indexing and tracking of cases by the public agencies responsible, so that children and adolescents in need of protection receive it in a timely manner.

4. Please state what measures the Secretariat for Social Inclusion has adopted to combat discrimination against adolescents, including lesbian, gay, bisexual, transgender and intersex adolescents, children living in rural and remote areas, indigenous children and children from economically marginalized families. Please provide information on the steps that have been taken to provide access to effective, high-quality, inclusive education for children with disabilities.

5. Please indicate how the specific situation of children and adolescents is taken into consideration in the "Safe El Salvador" and other security plans, how those plans prevent them from falling victim to violence and murder, how they combat poverty, exclusion and

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impunity, and what they do to help eradicate the informal supply of small arms in the country.

6. Please provide information on how the Office of the Inspector General of Public Safety ensures the effective investigation of complaints against police officers, how mechanisms for the receipt of complaints about the police are adapted to receive complaints from children and adolescents and how the Office of the Inspector General investigates complaints received by the Office of the Human Rights Advocate.

7. Please provide information on the results achieved by family support services and programmes in terms of reducing poverty. Please also provide information on the mechanisms used to record cases of violence and ill-treatment in the family environment, the support provided to victims and measures to rehabilitate and/or punish the perpetrators, and the action taken in follow-up to the 45,928 cases, mentioned in paragraph 106 of the State party's periodic report, referred to the child and adolescent protection boards.

8. Please provide information on the way the Guidelines for the Alternative Care of Children are taken into account in the amended legislation on the placement of children and adolescents in shelters. Please also provide information on the training of specialized personnel and personnel dealing directly with children and adolescents and the mechanisms for monitoring shelters and care institutions. In addition, please explain the measures that have been taken to address the challenges mentioned in paragraph 95 of the State party's periodic report.

9. Please inform the Committee of the efforts that have been made and the outcome thereof to make education more accessible to children up to 7 years old and to reduce secondary school dropout rates. Please indicate the specific measures that have been taken to reach the 113,000 children and adolescents between the ages of 4 and 17 who have never attended school and to reduce violence in schools. The information provided in this regard should be broken down by location (rural/urban).

10. Please provide information on the measures that have been taken to reduce infant mortality in rural areas, mortality among children under the age of 1 and chronic malnutrition among children under the age of 5, in particular in the lower income quintiles. Please also indicate what efforts have been made to reduce teenage pregnancy and what has been done to ensure that adolescents of both sexes take part in those efforts.

11. Please state how the Act on the control of returnees identified as gang members, adopted in June 2017, differentiates between minors and adults for the purposes of punishment and reintegration. Please provide information on public policies to support families, children and adolescents forcibly displaced internally as a result of violence.

12. Please provide information on the programmes developed to facilitate the imposition of non-custodial sanctions on young offenders and on how communities have been involved in them. Please also provide information on the measures that have been taken to combat violence in detention centres and the control of such centres by criminal groups. In addition, please provide information on the draft amendments to the Juvenile Offenders Act, in particular the amendments seeking to lower the age of criminal responsibility and empower the Attorney General's Office to order the detention of adolescents charged with offences.

13. With regard to the follow-up to the recommendations made in connection with the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, please provide information on the definition of the sale of children as a criminal offence in its own right, the investigation, prosecution and punishment of such offences and the availability of appropriate services for the physical and psychological recovery and social reintegration of child and adolescent victims.

14. Please indicate what action has been taken in follow-up to the recommendations made by the Committee in connection with the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in particular the recommendation that efforts be made to trace children who disappeared during the conflict and to reunite them with their families.

Part II

15. The Committee invites the State party to provide a brief update (not more than three pages) on the information presented in its report with regard to:

(a) New bills or laws, and their respective regulations;

(b) New institutions (and their mandates) or institutional reforms;

(c) Recently introduced policies, programmes and action plans and their scope and financing;

(d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

16. Please provide an analysis of trends in budget allocations for the period 2015 to 2017, in absolute terms and as percentages of the overall budget, intended for education, health, social services, the protection of children and adolescents and the promotion of the Convention and the Optional Protocols thereto.

17. Please provide data on child and maternal mortality, broken down by location (rural/urban), for the period 2015 to 2017.

18. Please provide information for the period 2015 to 2017 on the number of killings of children and adolescents and the investigation of such cases giving details of the trials conducted and the redress and compensation provided to the victims' families. Please specify the cases of children and adolescents who are victims of gangs.

19. Please provide information on the investigation and prosecution of the 612 complaints of violations of the right to inviolability of the person received by the Office of the Human Rights Advocate that are referred to in paragraph 73 of the State party's periodic report.

20. Please provide data for the period 2015 to 2017, broken down by sex, age, ethnic group and location (rural/urban), on the number of children and adolescents under the age of 18 years:

(a) Married or living in de facto unions;

(b) Deprived of their family environment and the type of care they may be offered by foster homes or institutions, whether public or private;

(c) In street situations;

(d) Affected by migration, broken down by form of migration (returned to the State party/internally displaced);

(e) Subjected to economic exploitation and the worst forms of child labour;

(f) Victims of sale, sexual exploitation and pornography.

21. Please provide data for the period 2015 to 2017, broken down by age, sex, disability, socioeconomic status, ethnic origin, place of residence (rural/urban) and geographic location, on the number of children and adolescents with disabilities:

(a) Living with their families;

(b) Living in institutions;

(c) Attending a regular primary school;

(d) Attending a regular secondary school;

(e) Attending a special school.

22. Please provide data for the period 2015 to 2017 on the number of children and adolescents held in detention, specifically indicating the number detained for being gang members or under the terms of the Special Anti-Terrorism Act of 2006. Please also indicate how many complaints there were of abuse or ill-treatment of children and adolescents in the course of their detention or imprisonment and what follow-up action was taken.

23. Please provide an update of any data in the State party's report, including those given in the annexes, that may have become outdated as a result of data collected more recently or other new developments.

24. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.